THE DEPUTY CHAIRMAN: There are so many speakers who want to seek clarifications. Mr. Sangh Priya Gautam.

CLARIFICATIONS ON THE STATEMENT BY MINISTER

Atrocities Against Dalits in Haryana, Bihar and Other Parts of The Country

श्री संघ प्रिय गौतम (उत्तरांचल): उपसभापति महोदया, माननीय मंत्री जी के प्रति मेरी बडी श्रद्धा है। वह एक शरीफ़, ईमानदार और भले आदमी हैं,....(व्यावधान)... लेकिन मैं कुछ बातें उन के ध्यान में जरुर लाना चाहूंगा।

उपसभापति महोदया, इस सदन में हम अनेक वर्षों से महिलाओं, बच्चों , दलितों और अल्पसंख्यकों के प्रति जुल्म-ज्यादती के बारे में हमेशा चर्चा करते रहे हैं। चाहे ऎसी घटनाएं देश के किसी भी कोने में घटित हों, हम ने उन्हें कभी राज्य का विषय नहीं माना है।

[THE VICE CHAIRMAN (SHRI SANTOSH BAGRODIA) in the Chair]

इसलिए मंत्री जी से एक बात तो मैं यह कहूँगा कि वह इसे राज्य का विषय बताकर टालने की कोशिश न करें। दूसरी बात, यह कि मंत्री जी यह जो आपका वक्तव्य है, यह आप की निजी जानकारी के ऊपर आधारित नहीं है। आप ने यह कहा है कि facts of the case as reported by Government of Haryana. तो जो हरियाणा सरकार ने आपको बताया, वही वक्तव्य आपने यहां माननीय सदन में दे दिया। चूंकि आपने इसमें स्वयं कोई जानकारी नहीं की, इसलिए मैं इस वक्तव्य को आपकी जानकारी के आधार पर वक्तव्य नहीं मानता। एक बात मैं यह कहना चाहता हूँ कि यह घटना 15 अक्तूबर की थी और आपका यह वक्तव्य करीब दो महीने के बाद आया और इस दौरान बहुत से शिकवे- शिकायते, बहुत सी वारदात हुई। लोग माननीय गृह मंत्री जी से भी मिले। उनका भी वक्तव्य आया। हरियाणा मे इस घटना के बाद अनेक लोगों ने अनेक संस्थानों के नाम पर पंचायतें की, मीटिंग की, सरकार के ऊपर दबाव डाला, पुलिस के ऊपर दबाव डाला, थ्रेटन किया कि अपराधियों के खिलाफ़ कोई कार्रवाई नहीं होनी चाहिए क्योंकि जो दलित मारे गए हैं यह सही मारे गए हैं। तो पहला मेरा आपसे यह सवाल है कि इन दो महीने के अंतराल में इतनी बातें उत्तेजक हो जाने के बाद, माननीय गृह मंत्री जी से शिष्ट मंडल मिलने के बाद, उनके द्वारा वक्तव्य देने के बाद आपने अपनी एजेन्सी से स्वयं इसकी जानकारी क्यों नहीं की? और, यदि की है तो उसका विवरण क्या है?

मान्यवर, दूसरा सवाल मेरा यह है, जो मैं आपके वक्तव्य से बिल्कुल सिद्ध करुंगा, जिसमें आपने अंत मे कहा है, it should not be treated as a deliberate atrocity committed on the members of the Scheduled Caste. It appears that the incident took place because of the mistaken impression that a cow slaughter was being committed openly."

आपका यह वक्तव्य सही नहीं है, जो स्वयं आपके इस स्टेटमेंट से जाहिर होता है। आप अपने वक्तव्य का दूसरा पैरा देख लीजिए, जिसमें कहा है- "About 50-6O persons gathered there and gave severe beating to all the five deceased persons.

The public took the deceased to Police Post Dulina where they reported that the deceased were carrying out cow slaughter on which the Assistant Sub-Inspector registered a case..."

लोगों ने पहले ही उनको अधमरा कर लिया और मारकर थाना चौकी पर ले आए, उनको पुलिस के सुपुर्द कर दिया। आपने उनको अपनी कस्टडी में ले लिया और उनके कहने पर आपने एफ़आईआर दर्ज कर ली, केस रजिस्टर्ड भी कर लिया। तो पब्लिक का वहां आने का, मारने का, ले जाने का कोई प्रश्न ही नही उठता। जो पब्लिक का काम था , वह उन्होने किया, पीट भी लिया, थाना चौकी पर ले भी आए और आपकी कस्टडी मे भी दे दिया। इसके बाद आपकी जिम्मेदारी है उनकी रक्षा करना,लेकिन वह सब मारे गए। मेरा क्लीयरकट आरोप है कि यह कत्ल का केस है और इसमें पुलिस वालों ने कत्ल किया है और करवाया है। उनकी कन्नाइवेस है और मैं इस बात को आपके ही स्टेटमेंट से सिद्ध करता हूँ कि टाऊन झज्जर के पास से फ़रुख नगर गए और वहाँ से मरी हुई गाय लाए। यह असर्टेन हो गया कि मरी हुई गाय लेकर आए थे और जिसकी खाल निकाल रहे थे। फ़िर यह भीड़ द्वारा आग लगाने और मारने का प्रश्न ही कहां से पैदा होता है? और, यह सही है कि उस समय भीड़ वायलेंट हो गई। तो जब आपने सारे तथ्य निकाल लिए तो 15 दिन तक यह पंचायत क्यों होती रहीं, तथाकथित संगठनों के नाम पर यह थ्रेटनिंग, गलत बयानी क्यों होती रही? आप पर, पुलिस पर और सरकार पर दबाव क्यों डाला जाता रहा? यह इसका प्रमाण है, मैं आपको बताऊंगा। ...(व्यावधान)...

मान्यवर, मैं पाइंटेड सवाल ही पूछ रहा हूँ। यह दलितों का मामला है।

"Factors behind Duiina killings यह आज के ट्रिब्यून में एक आइटम है। यह केथल कॉलेज के प्रिंसिपल का है। मैं इसकी सिर्फ़ तीन लाइनें पढ़ूँगा- "The brutal killing of five Dalits at Dulina in Jhajjar district of Haryana on October 15 was not a simple act of misdirected suspicion. Neither was it just another manifestation of the centuries old "primordial" caste system which still exists with an inhuman face. The way official machinery and the communally charged crowd of fanatics actually collaborated there"पुलिस और मिस-क्रिऍटस, इन दोनों ने यह साजिश की है। मंत्री जी, मैं आपको बताना चाहता हूँ कि एक डायरेक्टर जनरल आफ़ पुलिस, श्री लक्ष्मण दास थे, उनके खिलाफ़ एक केस रजिस्टर हुआ कि पुलिस कस्टडी में एक आदमी की मौत हुई और उसके बाद चार्जशीट लगी। ऍज डी.जी.पी. वे दो साल जेल में रहें, उसकी जमानत भी नहीं हुई। क्यों ? क्योंकि वह शैडयूल्ड कास्ट था और मरने वाला नाम शैडयूल्ड कास्ट था। क्या यह डिसक्रिमिनेशन का मामला नहीं है? मान्यवर, इसके बाद मैं आपसे पूछता हूँ कि जब यह इतना सीरियस केस था और जब कमिश्नर ने अपनी रिपोर्ट दे दी कि पुलिस की कस्टडी में वे मरे हैं, तो जांच किस बात की हो रही है? Why has the murder case not been registered against the Police and the officers? Would you take any action? तो मैं कहना चाहता हूँ कि जब तक उनके खिलाफ़ मर्डर केस रजिस्टर नहीं होगा, तब तक कोई कार्रवाही हम नहीं मानेंगे क्योंकि वह केवल आंसू बहाना होगा।

6.00 p.m.

मान्यवर, अंत में मुझे एक बात और कहनी है कि यह पुलिस चौकी और झज्जर टाउन बिल्कुल मिले हुए हैं। इसलिए यह क्लीअर केस मर्डर का है क्योंकि हवाई फ़ायर नहीं किए गए, पानी नहीं छोड़ा गया,जब मॉब वायलेंट हो गया तो रबर की बुलेटस नहीं चलाई गईं? मैं जानना चाहता हूँ कि जब पांच आदमी मार दिए गए,आग लगा दी गई , थाने में आग लगाने की कोशिश की गई, पुलिस वालों को पीटा गया, उनको चोट आई, उनको पत्थर मारे गए तो पुलिस क्यों मेहमानदारी करती रही अपराधियों की और पुलिस ने ब्रूटल लाठीचार्ज क्यों नहीं किया, केनन से पानी क्यों नहीं बरसाया, रबर की बुलेट्स क्यों नहीं छोडी, हवाई फ़ायर क्यों नहीं किए? आप वाइटल पार्टस पर फ़ायर न करते, लेकिन हवाई फ़ायर तो कर सकते थे और जितने ऎडीक्वेट व्हीपन्स और अन्य जरुरी चीजें हैं, उनको लेकर आते। मान्यवर,आप मुझे क्षमा करेंगे लेकिन मैं कहना चाहता हूँ कि उसके बाद दो कांड पानीपत और भिवानी में इसी तरह के हुए हैं, मर्डर नहीं हुआ लेकिन थ्रेटनिंग हुई है और सारे प्रदेश की फ़िजा खराब है। इसलिए मैं आपसे यह कहना और जानना चाहता हूँ कि आप इसकी लीपा-पोती न करके अपराधियों के खिलाफ़ हत्या का मामला दर्ज कराएं और जिन लोगों ने तथाकथित संगठनों के नाम पर बयान दिए हैं, वे संगठन सही हैं या गलत हैं, नाम गलत है या सही है, मैं इसमें नहीं जाना चाहता, लेकिन जिन लोगों ने भड़काऊ बयानात् दिए हैं, उनका इसमें एबेटमेंट रहा हैं, क्या आप उनके खिलाफ़ कत्ल के केस रजिस्टर करवाएंगे? धन्यवाद।

SHRI S. VIDUTHAUM VIRUMBI (Tamil Nadu): Mr. Vice-Chairman, Sir, it is a sad incident, and it is a blot on the Indian history since Independence. We do not know what has actually happened. But, from the statement, what we understood is that five persons belonging to the Scheduled Castes were brutally beaten to death. It was said that they were carrying not only a dead cow, but also hides of cows, sheep and buffaloes. It clearly shows, they are in trade. Sir, this incident was first spotted at 6.30 p.m. Then, three persons, one representing the police, the second person was a van driver, and the third person representing the public went to the spot where the caning was taking place and they found that a dead cow had been bought. When that was the case, I would like to know whether it was correct or not that the particular person who represented the public, would have also informed the mob that it was a dead cow. I would like to know whether it was done or not.

The hon. Minister has to go through three things. In the Statement the hon. Minister has said that the people in thousands armed with lathis etc., gathered there. Another information given is that on hearing, the police officers along with the force went there. The third piece of information is that the police decided not to open fire. The • reason attributed in this statement is that there was no place left between the mob and the police and they were surrounded by the mob from all sides. It is all

right that they decided not to open fire, but after that what we are not able to understand is that suddenly a violent group of hooligans armed with iron rods and deadly weapons reached there, pushed the police and the Magistrate aside and broke open the door of the police post. Then they took out all the five persons, who were alleged to have slaughtered the cow, and beaten them to death with iron rods, lathis, stones, bricks etc. In spite of all this, the police did not open the fire.

The third point is that they threw two dead bodies into the hut which was set on fire. We are not sure whether the dead bodies were thrown into the fire or the two people who were still alive were thrown into the fire. This point has to be noted. In spite of the presence of the police and judicial officers, the mob could break the door of the police post, could bring the people out on the street and could attack these people, could throw two persons into the fire, and yet, the police did not open fire. This is nothing but lack of responsibility because the decision not to open fire persisted till then. Can anybody believe this story? There is definitely something wrong. Those thrown into the fire might not be dead bodies, but persons who were still alive. Yet, they did not open fire.

Then, it is said that the post-mortem was done by a board of doctors on the three bodies that remained there. The point is whether the persons or bodies thrown into the fire might have been taken out half burnt or they were reduced to ashes. If those bodies were reduced to ashes, how was the post-mortem done. That is another question.

It has been stated that on an inquiry it was found the police officials having derilicted from their duty and a punishment was recommended. But, again the Executive Magistrate and other administrators also did not perform their duties properly. Because of all this, that incident took place. Keeping in view the report of the inquiry, the State Government officers decided to take action against the erring officers, who were deputed to control the situation. That means the State Government has taken action. Kindly see what action has been taken. In the next sentence, while describing the action taken by the Government, it is said that they were being charge-sheeted with major penalties. As per the statement they were neither suspended nor even transferred. They were merely charge-sheeted. The last paragraph only deals with generalities.

What I feel is that, till the *Manu Dharma Sastra* is abolished in this country, these types of incidents will happen. Therefore, if we want to

abolish casteism, we have to fight against the *Manu Dharma.* The root-cause is the *Manu Dharma.* You have to take care of it. We should say that people born in India, from Kashmir to Kanyakumari, to whichever caste, to whichever religion they may belong, are all human beings. We must also admit the fact that human beings are always superior to animals. No animal is superior to human beings. Everybody should accept it. Then only the country can go forward. Now, as far as this incident is concerned, we do not know what happened on the spot. I think, the hon. Minister may have some more information. I hope he will share that information. Thank you.

SHRI A. VIJAYA RAGHAVAN (Kerala): Thank you, Mr. Vice-Chairman, Sir. Yesterday, the hon. Minister of State for Home Affairs made this statement in the House. I have gone through all the Press reports of those days. None of those Press reports had mentioned the stories, which are there in this statement. They took one person and visited the place and whatever story you have given in this statement was not in the Press reports which were published in those days. Secondly, Sir, I visited the place the very next day. I met the District Magistrate. Sir, all these things had taken place in front of these people -- almost all the important persons were there near the Police Station. It was mentioned that this incident had taken place in front of the City Magistrate, the DSP of Jhajjar and Bahadurgarh, the Municipal Corporator's husband and the Block Development Officer; and, at least, in front of 50 policemen. Most of the culprits were from the nearby villages. The incident occurred on i5^{lh} October, 2002. I met the District Magistrate the very next day. He assured me that he was going to book the culprits, but it was reported that the arrest had taken place only on I3^{m} November, 2002. The very next day, there was procession by those people who killed the Dalits. There was a procession in front of those people who were the eye-witnesses. The District Magistrate and all the superior police officers were the eye-witnesses. The culprits are from the nearby villages. Why there has been a delay of one month? Even this arrest had taken place only because the Parliament Session was around. Otherwise, there would not have been any arrest. This issue has to be clarified. Why did the delay occur? Secondly, Sir, at the end of the statement, it is said, "Ministry of Home Affairs have been issuing guidelines to the State Governments from time to time to give more focussed attention to improving the administration of the criminal justice system to ensure prevention of atrocities against SCs, STs, women and other vulnerable sections of the society." Sir, this heinous crime took place in Haryana, and the entire country was shocked. Many

people went there, many political leaders visited the spot. All of them demanded the arrest of the culprits who had lynched these poor Dalits. But it was reported in the newspapers that some elements were supporting it. It was reported, Sir, that the local VHP office-bearers dared the Police to take action. "If they can kill our mother, then what if we kill our brothers who have killed her", says Mahendra Permanand, the priest of the local temple. "I will say it in front of the Police that what they were doing,was wrong, and the Dalits deserve to be punished", says Ramesh Saini, VHP office-bearer. Sishupal from the local Shiv Sena unit says, "whatever happened was wrong, but it could not have been helped."

I would like to quote what the Senior Vice-President of V.H.P., Shri Giriraj Kishore, said at the press conference in New Delhi. He quoted from tf scriptures and said: " The life of a cow is more precious than that of a hu an being." Is this the concept regarding the Dalits after 50 years of Independence in this country? Sir, the Minister has mentioned that he has sent a circular to the States to take action against those who are perpetuating hatred against the Dalits. Have you taken any action against this kind of people who are perpetuating hatred against the Dalits? This question has to be answered. That is a very important issue, which has to be clarified.

Thirdly, it has been mentioned in the statement that they were carrying 228 hides; 34 hides of cows, 2 hides of sheep and 192 hides of buffaloes and a dead cow in a TATA 407 vehicle. What does it mean? Deaths are taking place inside the *goshala.* Why have they kept so many animals? The management of the *goshala* is not proper. So, would you order an inquiry regarding the management of the *goshala?* The C.B.I, is with you. Would you conduct an inquiry with regard to the functioning of *gaushala?* The mismanagement in the affairs of the *goshala* should also be taken note. of. I hope the Minister will give a detailed reply aoout all these aspects.

Finally, I come to the role of the police. The hon. Member, Shri Sangh Priya Gautam, has also referred to this point. They are under the police custody, and Jhajjar is very near to the police station. Even the district headquarters is at a distance of 10 kms. If there were only 50 police personnel, they could have asked for more police force, and they would have reached the scene of occurrence within half-an-hour, because that place is not too far from the scene of occurrence. Why didn't they ask for the police reinforcement? Why didn't they go to the place with

more police force? This point should also be explained by the hon. Minister. The police was knowing that these people had gone to the scene of occurrence in their vehicles, along with a number of persons. The police should have realised the possibility of an attack against these people. So, what is the reason for inaction on the part of the police? That aspect should also be explained.

SHRI RANGANATH MISRA (Orissa): I have a feeling that the killing of five persons is a fact but the rest of it is all concocted. This is a case of gross criminal negligence on the part of the police officers and others, who were present there. In their presence, this has been done. Actually, it is a criminal offence punishable section 304A IPC. There is no justification for the officers to have been ordered to face an administrative charge only. They should be tried criminally, along with others, and everybody should be shown as accused.

The second question I would raise is that the police custody of the deceased is admitted. Killing people in police custody in the presence of the police group, is probably, one of the most heinous crimes, for which appropriate action should have been initiated.

The next question is, the Minister should not have expressed his opinion that this was a *bonafide* situation. That is absolutely misleading. In fact, it is just like giving an opinion, which might prejudice the trial of those, who may face the trial ultimately. The Minister should have expressed no opinion. I also do not understand why he referred to Bihar, while making the statement. This is a pointed incident of Haryana. How does Bihar come in? Therefore, there is no justification for Bihar to have come in unless it was intended to be used with political motive in the matter. It is unfortunate that the Minister has done that. The Civil Rights Act of 1955 did not produce any result. Parliament gave a new legislation in 1989. That also is not giving the result. In fact, the special courts are not functioning properly. From my own experience, when I was keeping track of these cases in the Human Rights Commission, and earlier, as a Judge in the court, I found that about 20 per cent of the cases came before the courts and about 5 per cent ended in conviction at the trial stage, and ultimately, the conviction rate used to be about 2 per cent. If this is the position and if it does not improve, the protection that is intended to be available to the Scheduled Caste people, for whom the legislation has been made, could never be effective. Government of India has not been doing its job properly. The paraphernalia maintained is more a show than reality, and the statute is not getting its

purpose served. The statement made by the Minister seems to be half-baked. He should have waited for further information, as suggested by our learned colleagues. In fact, an additional statement should be called for from the Minister, and he should make it. It must be taken into account that in more than 50 years of Independence, we have not been able to raise our level of treatment to a section of the society on which account, that section of our people has still been suffering. These people have not been brought to the mainstream of the nation. And the feeling that should have been generated by now, the culture that should have become a way of life has not came into being. Therefore, I suggest that the House calls upon the Minister to give a further statement, giving more details and the real story should be revealed, so that this may be an eye-opener to the people in the country who are in-charge of or enforcing the law, and this matter should not be taken lightly. As I have pointed out, two people are said to have been put on fire. Were the dead bodies recovered? Were all the five bodies sent for post-mortem? The statement is not clear. On the basis of a conclusion that five people have been killed, a story has been made up and this made-up story should not be believed. We should reject it.

[THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM) in the Chair)

SHRI SWARAJ KAUSHAL (Haryana): Thank you, Mr. Vice-Chairman. Sir, the Statement comes on the iO^{h} of December, while the incident took place on the i5th of October. I believe that the Government owes an explanation to this House as to why it took nearly two months' time even to find out from the Government of Haryana as to what had happened. Secondly, Sir, now I go to the second para of the Statement; it reads, "The public took the deceased to the Police Post, Dulina, where they reported that the deceased were carrying out cow slaughter, on which the Assistant Sub-Inspector registered a case..." - registration of a case comes first -"No. 469, under section 3/8, Punjab Prohibition of Cow Slaughter Act, 1955, against the deceased persons. However, ASI, after making the preliminary inquiry..." - registration of the case comes first - preliminary inquiry against the dalit is made later. So, this shows the bias in the investigating agencies. This shows the complete bias in the State Police. Therefore, not only that you should take action against x.y.z, Executive Magistrate and so on, but you must find out, Sir, how this ASI could register a case first and make preliminary inquiries later. Then, Sir, I go to the last para. It says, "In fact, it appears that the incident took place because of the mistaken impression that a cow-slaughter was committed openly, which aroused the passions of

the people, and it should not be treated as a case of deliberate atrocity against the members of the Scheduled Castes." What else is a case of deliberate atrocity? Are you not, as the Central Government, not only condoning, but also justifying this? This is most improper on your part. This part of the Statement ought not to have come from a Government of India in 2002, Sir. Then I go to the middle.

> "A case No. 470, dated 15.10.2002, u/s..... was registered in connection with the incident."

Obviously, the case was registered in Jhajjar. Do you think that with all this mob frenzy and the situation prevailing in the local area, a fair trial is possible? I want to know from the hon. Minister whether he will ask the State Government to move for a transfer of the case; whether he will ask the Attorney General of India to seek the transfer of this case from Jhajjar to Delhi so that a fair trial is possible.

Sir, I go into the reasons. The reason given in the statement is this. The mistaken impression was that the cow slaughter was committed openly by the side of the road. Why is this skinning taking place by the roadside? It is precisely because the people who practise this profession have not been allotted workshop sites. Where else can they carry it out? They have to carry it out on the roadside because there is no scheme for them. You may have given them houses, there may be big policies, but there is, absolutely, no scheme, not one I have heard of where sites are allotted to people who practise this profession, to carry out this profession. So, will you, please, take it up with the Ministry concerned and make sure that proper sites are made available to people for carrying out their profession? Thank you, Sir.

SHRI SANTOSH BAGRODIA (Rajasthan): Sir, my senior colleague, Justice Ranganath Misra, has rightly mentioned that it is a very exhaustive statement, but with hardly any purpose. It appears that the only purpose is to shield their alliance party, running the Haryana Government. Sir, I would like to quote a few words from the statement. It says:

> "About 50-60 persons gathered there and gave severe beating to all the five deceased persons. "

It says, initially, only 50-60 persons were there. That was not a big crowd. To say that these people could not be handled by the police is awful. It was also mentioned: "The public took the deceased to the Police

Post." Does it mean that only these 50-60 persons had killed them? No, they did not kill them. According to my information, Sir, when this incident took place, these people were caught by the Police; they were all alive; nobody was there except the cow, which was also brought there-which the Minister himself confirmed from the enquiry--they wanted, what you call, bribe from those people; those people were not willing to pay any bribe. ...*(Interruptions)*... This is a cock-and-bull story which the police made. The police is very smart in making stories, which is well-known, not only in the country but all over the world. Then, what happened, Sir? They wanted money from these five persons; they did not pay; so, they started beating them; one of them was killed by the police on the spot. That is how the murder story of the police started. After that, they were taken to the Police Station. No. In fact, it is police people who had killed all the five persons. They made this story of a gathering of 50-60 people. Even the statement has been drafted in such a clumsy way. If you read between the lines, you will find that the incident happened at 6.30 p.m., but till 8.00 p.m., they had not gone to inquire into it. I want to know from the hon. Minister whether, for one-and-a-half hours, these people were alive or not; whether they were already dead; and what was the hurry to go and inquire into whether the cow was dead before or after the incident. Suppose they were alive. These people were alive for one-and-a-half hours! We tell our children, "If there is any problem from any hooligan, go to the police!" We tell our ladies, "If there is any problem, go to the police हिन्दी में कहावत है कि अगर संरक्षक ही भक्षक हो जाए तो आप कहां जाएंगे? हरियाणा के पुरुष तो बड़े वीर माने जाते हैं, आर्मी में भी हैं, पुलिस भी बडी मजबूत मानी जाती है और उनका यह कहना कि हम क्राउड से उन्हें बचा नहीं सके। यह पुलिस से सुनने वाली बात नहीं है,यह बहुत शर्म की बात है, यह कहना कि पुलिस के रहते हुए मारे गए। देखिए, what you have further mentioned is that, 'however, the ASI, after making a preliminary enquiry, told the public that it was not a case of cow slaughter'. Now, once the police has established that it is not a case of cow slaughter, why were they not able to explain it to the public? Why should the public not accept it, unless there are reasons beyond that? 'The villagers strongly argued with the Assistant Sub Inspector, and it was decided that the verification should be done'. I agree that the villagers argued, but argument is one thing, and beating the people is a different thing altogether. They only argued; they were not beating them, because beating was not required, the police had already killed them. So, where was the question of beating? Sir, when these people went to find out at 8.00 p.m., after returning from the festival, the statement says "the Deputy Superintendent of Police came along with

force". He came along with force. What force? The statement says however, the mob swelled further and became violent. They started pelting stones on the police personnel. The police resorted to lathicharge, but that was also of no avail. This is a normal practice, if you want to stop a mob. I have spent all my life in Calcutta. I have seen all kinds of violence there, day and night. But police knows how to handle that kind of violence. First they resort to lathicharge. If lathicharge does not work, they use tear- gas. If tear-gas does not work, they open fire in the air, and if that also doesn't work, they use rubber bullets. If the rubber bullets do not help, they can still fire on the legs; and only when all these things fail, they can open fire. But where was the scope for doing all this? The poor dalits have no voice. In this case, none of these steps were taken. What did you do? Sir, the story has been very well planned and well-created. The statement says, "The mob outnumbered the police". Mob will always outnumber the police. Can you tell me even a single situation where the police is more and the men are less? One man - I have seen with my own eyes -- one ordinary individual, with a *talwar* in his hand and nobody could dare to come near him. But the police has got the state authority. You want to say that the police were outnumbered and, therefore, they could not handle the situation. Sir, the family members themselves have asked how the police personnel would know the identities of the dead, unless the five had been interrogated. They were already tortured, when the FIR was filed, and their names were already recorded. After death, how will they know their names? Will you please check the FIR? Have they mentioned the names of the deceased in the first FIR? If they had not mentioned the names, how did they know the names of the deceased, when they were already dead? He also ruled out the involvement of the people from the village, and it is highly improbable that they will go all the way to Jhajjar town to watch the Dussehra festivity. There is a long distance. They did not go for Dussehra festival like that. If at all they had gone there, they would be in a good mood. They would not be in a killing mood. Why should they kill the people? The incident took place in the presence of the DSP, the Magistrate, the Naib Tehsildar and almost 50 police personnel. Against 50 police personnel, even if there were 5,000 people, I don't think, it really mattered. I know, as a politician, we are surrounded many times. I was surrounded by 2,000 people once. Even 20 police personnel could handle them.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): You kindly conclude. There are other Members also.

श्री संतोष बागडोदिया: आप दलित की बात बोलते हैं, मत बोलिए। आप बोलना चाहते हो, मत बोलिए। यह तो बोलने वाले हैं, बी.जी.पी. के दलित नेता है लेकिन दलित के लिए बोलने नहीं देते हैं। यह बी. जे.पी. को अपनी प्रोटेक्शन देना चाहते हैं। आप बोलेंगे तो मैं बैठ जाऊंगा।

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Don't make charges against the Chair.

श्री संतोष बागड़ोदिया: आप ऐसी बात बोलेंगे तो ऐसे ही कहूँगा। मैंने आपको नहीं रोका इसलिए आप भी मुझे बोलने दीजिए।

प्रो. रामबक्श सिंह वर्मा(उत्तर प्रदेश): माननीय संघ प्रिय गौतम जी बोले हैं।

श्री हरेन्द्र सिंह मलिक (हरियाणा):ये दलित नेता बैठे हैं।

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Don't make charges against the Chair.

SHRI SANTOSH BAGRODIA: The District Commissioner, Mr. Mohinder Kumar, reached the site. The District Commissioner's Office got the information la'e in the evening. But, by that time, the District Commissioner hac' a little role to play. The local Vishwa Hindu Parishad activists and other social elements, who must have been mobilised from the town, joined the police and the five men were allegedly beaten to death. Will you please inquire into this?

On October 16, the VHP and the Bajrang Dal took out a victory procession in Jhajjar. Please find out whether it is true or net. On what victory did they take out the procession? The victory of killing five Dalits! I would like to know whether such a procession was taken out by these people or not. It is on record. You have not mentioned it anywhere in your statement. Are you not misleading the House by not mentioning this? The people responsible for the killing of the Dalits were allegedly lauded. Will you please tell this House whether it is true or not?

In New Delhi, the Senior Vice-President of VHP, Mr. Giriraj Kishore, defended the VHP's position by stating that it was more important to ascertain whether they had killed and skinned the cow. One of my friends mentioned here that Mr. Giriraj Kishore had stated that the life of the cow was more important than the life of the men who were killed. Five Dalits were killed, *interruptions)...*

SHRI B.P. SINGHAL (Uttat Pradesh) : It was unforeseen. ...*(Interruptions)...*

SHRI SANTOSH BAGRODIA: Five Dalits were killed in lieu of a cow. *(Interruptions)...* Sir, will you please stop him? ... *(Interruptions)...* If he takes my time, you have to give me more time. ...*(Interruptions)...*

SHRI B.P. SINGHAL: He never said any such thing. ...*(Interruptions)..Me* is misquoting, ..^*(Interruptions)...* This is a misquotation that you are quoting, *(Interruptions)...*

SHRI SANTOSH BAGRODIA: Sir, he is wasting my time. ...*(Interruptions)...*

SHRI B.P. SINGHAL: This is what the Press had quoted. ...*(Interruptions)...*

उपसभाध्यक्ष (श्री संघ प्रिय गौतम): ठीक है, वे वही कोट कर रहे हैं।

श्री भारतेन्दु प्रकाश सिंहल: प्रैस को कोट करना ठीक नहीं हैं...(व्यवधान)...
उपसभाध्यक्ष (श्री संघ प्रिय गौतम): आप बैठिए, आप खत्म कीजिए।

SHRI SANTOSH BAGRODIA: Please let me speak. ... *(Interruptions)...* Let him speak when his turn comes. ...*(Interruptions)...*

SHRI B.P. SINGHAL: This Is what the Press Is quoting. ...*(Interruptions)...*

SHRI SANTOSH BAGRODIA: Sir, please let me speak. ...*(Interruptions)...*

श्री भारतेन्दु प्रकाश सिंहल:उपसभाध्यक्ष जी, आप इनसे कहिए कि इसे ऑथेंटिकेट करें।

SHRI SANTOSH BAGRODIA:. Sir, I am asking a pointed question. The local office bearers of the VHP and the Shiva Sena had submitted a memorandum to the local police asking them not to take any action against the guilty. Is it true or not? I am asking a specific question.

The next point which I would like to know from the hon. Minister is whether the five men, who were killed, sought refuge at the police post. A word was spread about this in, at least, ten villages and in an hour the crowd swelled to 2,000. Is this figure correct or not? At least, let us know about it. Simply saying that a big crowd came is not right. Was it 2,000 or 500? Let us know about it.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM) : Please conclude.

SHRI SANTOSH BAGRODIA: Mr. Vice-Chairman, Sir, I am putting pointed questions. I am only trying to cover those points which are not already covered. Mr. Mohinder Kumar, the District Commissioner, came there. Since there was a traffic jam he could not reach there in time. Will you please find out whether such a traffic jam was possible on those roads that the District Commissioner could not cross the jam? He claims that he could not reach there in time because there was a jam, as if it was a Delhi road or something. It was surprising that organisations like RSS and VHP had demanded that no action should be taken against those who violated the law of the land, *(jnterruptbns)...*

SHRI B.P. SINGHAL: I am very sorry again, Sir. No such statement was made. ...*(Interruptions)...*

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Don't name anybody...*(Interruptions)...*

SHRI B.P. SINGHAL: This must be stopped. ...*(Interruptions)...*

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Don't name anybody. ...*(Interruptions)...*

SHRI B.P. SINGHAL: If it is true, then only it will go on record. ...*{Interruptions)...*

SHRI SANTOSH BAGRODIA : They are all office bearers of this organisation. It has appeared in the press..*(Interruptions)...*I am only seeking a clarification. If it not true, I will be happy. I wish it is not true. I wish it is not true. I am only seeking a *c\ar\f\caton..(lnterruptfons)...*

SHRI B. P. SINGHAL: No *clarifications... (Interruptions)... He* does not want to take responsibility for ...*(Interruptions)...*This is very shameful. ...*(Interruptions)...*

SHRI SANTOSH BAGRODIA : You are not ashamed of killing the Dalits, but you say that I must be ashamed, because I am asking a . question! He is not ashamed of killing the Dalits and he wants me *\o... (Interruptions)...*

THE VICE CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Mr. Singhal, please sit *down..(Interruptions)...Mr.* Bagrodia, please put only questions.

SHRI SANTOSH BAGRODIA : Sir, I am putting a question specifically to the hon. Minister. It is mentioned that the Jhajjar Police Chief,

Mohd. Akil, has said that besides the policemen who received injuries, the local magistrate was also hurt. He has said that. I would like to know from the hon. Minister, what kind of injury did the Magistrate and the Police suffer that they could not take action. Or, there was no injury at all? Sir, 'Mr. Akil said, adding, that his first priority was to maintain peace in the area'. Maintain peace at the cost of these five lives?

Sir, there should be a judicial probe into this incident. Sir, our hon. Leader of the Opposition has visited this place and she has demanded a CBI enquiry. I would like to know from the hon. Minister whether he is willing to order a CBI enquiry into a serious matter like this? It is the same party ruling there. They ordered some local enquiry, and the local enquiry has cleared all the policemen. Is this the way of solving this problem? I would like to know....

THE VICE CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please finish. You have taken a lot of time.

SHRI SANTOSH BAGRODIA : Can you give the names of those who have been arrested? Can you tell us with which organisation they are associated and to which village they belong? Whether they were present on that day or the people who have been arrested are not at all involved? We do not know anything about it. All these details should be known to us. The lynching was directly linked to the increased activities of these religious and other organisations. I would like to know from the hon. Minister whether these people who have been arrested are associated with any of these organisations?

SHRI B.P. SINGHAL : Mr. Vice Chairman, Sir, I have a point to make. In his speech, he has made several allegations against organisations which are not there in Jhajjar, neither the VHP nor the Bajrang Dal. *...(Interruptions)...*

SHRI SANTOSH BAGRODIA : Mr. Vice Chairman, Sir, if you have allowed him to speak, you allow me also. Otherwise, don't allow him and that should not go on record*...interruptions)*..He has mentioned about my *...(Interruptbns)...*

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM) : Please sit down.

SHRI N.K. PREMACHANDRAN (Kerala) : Mr. Vice Chairman, Sir, I thank you very much for giving me this opportunity. Sir, no words in the

word dictionary are sufficient to condemn this incident of the killing of five Dalits in police custody. Sir, I would like to place on record that we are" saddened to go through the contents of the statement made by a learned Minister like Shri I.D.Swami, for whom we have great respect. I would like to know on what basis or on what report, this Statement has been made in the House. Because this statement is also giving a clean certificate to the State Government of Haryana.

Sir, the State of Bihar has also been incorporated in the statement. This incident took place in Haryana where the five Dalits were killed in police custody. How does Bihar come into the picture? I would like to say that this statement has been made with an ulterior political motive. The facts are also contradictory. The statement says, "Suddenly, a violent group of hooligans armed with iron rods and other deadly weapons reached there and pushed the police personnel and Magistrates aside and broke open the door of the police post. They attacked all the five alleged cow slaughterers with iron rods, lathis, stones, brick-bats, etc. and took them out on the main road. There they beat them to death". If the police personnel were there, the DSP was there and the Magistrates were there, were they mere spectators? I would like to know from the hon. Minister from where these facts have been gathered. On what basis have these facts been narrated in this House? I allege that the killing of five people has been done in collusion with the police and the upper-class people. There is no doubt about it. That is why, on i6^{m} October a Victory Rally had been organised under the banner of the VHP. This Rally was led by the VHP. The statement says that the five people were killed under the mistaken impression that a cow was slaughtered. These facts are contradictory. I hope the hon. Minister would reply to this point.

My next point for clarification is in regard to a clean certificate. Sir, we have never read such a statement. On page 3, the statement says, "Haryana has a history of communal harmony since ages". It further says, "In fact, it appears that the incident took place because of the mistaken impression". I would like to know from the hon. Minister whether this observation is the observation of the hon. Minister, or the observation of the police or the observation of the State Government of Haryana. 'It is under the mistaken impression that the cow was slaughtered'. If a cow is slaughtered by some people, should we kill them? That is the inference of the statement. The statement says that the incident took place because of the mistaken impression that a cow was slaughtered, and therefore, it was

not a deliberate atrocity committed on the members of the Scheduled Caste. That is the observation of the hon. Minister. That means, if a cow is slaughtered publicly by the Dalit people or by anybody, they could be killed. The statement justifies the incident indirectly.

The statement says, "Haryana has a history of. communal harmony since ages and the Scheduled Caste and Scheduled Tribe people are well protected in Haryana". Then on page 4 of the statement some statistics have been given. The statement says, "While 18,658 IPC crimes were committed in 1997, this number came down to 17,397 in 2000". It means per month not less then 1,500 crimes are being committed against the Scheduled Caste and the Scheduled Tribe people in the State of Haryana. But the State of Haryana has been given a clean chit.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): That figure is for the whole country.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): That figure is for the whole country.

SHRI N.K. PREMACHANDRAN: I am sorry. It is a mistake on my part. I withdraw my statement. I hope the Minister will clarify these issues. I would like to know whether a blank firing took-place or not because there is no mention about it in the statement. I would also like to know whether a Victory Rally was held or not. I would also like to know whether it was done in collusion with the police and the upper-class people. Thank you.

[THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA) in the Chair]

SHRI R.S.GAVAI (Maharashtra): Mr. Vice-Chairman, Sir, I do designate the incident, that took place at Faruq Nagar of District Gurgaon on i5^{,h} October, *a brutal, inhuman and rather a great stigma on the society. Sir, I must express my dissatisfaction over the statement made by the Minister. It is away from the truth and does not relate to the facts. The contentions in the statement indicate a great contradiction and, therefore, there is no way left to me than to express my dissatisfaction. The reason is that learned Member of the House, who is an advocate also, Mr. Kaushal, has also mentioned that at the outset, the case was registered without any investigation, that too as if the offence had occurred under Section 469 of the Act of 1995. Thereafter, to prove that the action taken by the local police officers, there was verified twice, and to their dissatisfaction, it proved that it was not a case of slaughter. So, my first question is: what action

has, been taken against the police officers who have registered the case without any verification? The second point is that the action is being taken after two months. .The brutal incident was condemned throughout the nation, and the nation has expressed its indignation. Why has the delay of two months been allowed in taking action on such a brutal incident. Sir, my third point is regarding the statement of local officers. Their statement is nothing but shirking responsibility and defending the wrong action which they have taken. They decided not to resort to firing as the situation would further worsen, because there was no space there in between. If the local officer could have taken abundant precaution, perhaps, the lives of five dalits could have been saved and the incident, which I term as brutal, could have been avoided. My fourth point, Sir, is that they have very intelligently put up here that after the death, they threw the bodies on huts, which were already burnt. The stories are away from the truth. Actually, the bodies were burnt. That is a case of shirking responsibility. You know, Sir, as far as the police administration is concerned, it is rather a matter of great concern that they gave this kind of report. Sir, the Divisional Commissioner completed the inquiry and submitted his report on 5^{m} December, 2002, that is, one month and twenty days later. He has ratified that the adequate steps to protect the lives of innocent persons were not taken, Even in the statement, the hon. Minister failed to mention what action has been taken against these officers, including the police officers. They are only being charge-sheeted for a major penalty. But what does the charge sheet say? Are they being booked under the Indian Penal Code? Or, is it under the Prevention of Atrocities Act or under the Protection of Civil Rights Act? How have the charge-sheets been framed against these accused? Which Sections of the Indian Penal Code would be made applicable to such incidents? Sir, when we look at the statement, it is evident that such incidents are not taken seriously. The hon. Minister may be a thorough gentleman; but he should know the seriousness and gravity of the problem. The statement says, "...which aroused the passion of the people and it should not be treated as a deliberate atrocity committed on the members of the Scheduled Caste." If this is the case, then, why have you registered the offence under Prevention of Atrocities Act? Where is the question of registering it under Protection of Civil Rights Act? The hon. Minister has made contradictory statements. Booking the offence under the Prevention of Atrocities Act has only rubbed salt in the wounds of the victims of this tragedy.

Sir, the learned Member of this House, Shri Ranganath Misra, has mentioned -- the Minister had given figures as regards incidence of crime under the Protection of Civil Rights Act and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act - that the percentage of incidence of such crime has gone up by two per cent. Now, we can deter such crimes only if we make the punishment more stringent. We should see to it such an incident does not recur in future. Coming to the inquiry, as Mr. Swaraj Kaushal had mentioned, we must transfer the case from the District Authority to a Bench in Delhi, because, in the-present circumstances, we cannot expect any justice there, because there are caste prejudices.

Sir, as regards remedial measures, I observe that all these instructions have been issued by the Government after this incident took place and not earlier. The Minister has talked about Summary Trial Courts, recruitment of persons from the Scheduled Castes and the Scheduled Tribes, Working Special Courts and so on. But these are just afterthoughts. Even presuming that precautions had been taken, as has been mentioned in the statement, I would like to know whether any review was conducted in this respect or not. Sir, with a lot of indignation and sorrow, I say that it is a brutal act and I condemn it strongly. I expect that the hon. Minister would consider all the suggestions that have been given by various hon. Members of this House, and I hope that he would come out with another statement showing the action taken by them on the basis of these suggestions. Thank you, Sir.

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): श्रीमती सरोज दुबे जी, You asked for one minute. Right. This is not appreciated. Once the statement starts, जब चालू हो जाता है तो नाम आने लगते हैं, इसलिए पहले से नाम देने चाहिए। आपने कहा कि एक मिनट में बोल दूंगी।

श्रीमती सरोज दुबे(बिहार):माननीय उपसभाध्यक्ष महोदय,...(व्यवधान)...

श्री भारतेन्दु प्रकाश सिंहल (उत्तर प्रदेश): उपसभाध्यक्ष महोदय,...(व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोगिया): अभी मैंने सरोज दुबे जी का नाम लिया है, अभी मैं कुछ नही सुन सकता। ....(व्यवधान)...आपका कोई प्वाइंट आफ़ आर्डर है? आपका क्या प्वाइंट है जो इतना इम्पोर्टेंट है कि उनकी बात के पहले सुना जाए?

श्री भारतेन्दु प्रकाश सिंहल : सर, मेरा एक प्वाइंट आफ़ आर्डर है।

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): क्या प्वाइंट आफ़ आर्डर है?

श्री भारतेन्दु प्रकाश सिंहल: सर, मेरा प्वाइंट आफ़ आर्डर है कि क्लेरिफ़िकेशन्स पर सिर्फ़ प्रश्न पूछे जाते हैं, रेम्बलिंग स्पीचिस नहीं होती हैं। अगर यह सही नही है तो रेम्बेलिंग स्पीचिस चलाइए। अगर प्रश्न ही पूछने हैं तो केवल प्रश्न पूछे जाएं।...(व्यावधान)....

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA) : Jibon Roy ji, I know how to handle it. Please. I do not need your protection on this. There is no point of order on this. But your suggestion is very valid. Please be brief. But there is no point of order...*(Interruptions)*... हो गया न, बात हो गई न। बोलिए सरोज जी।

श्रीमती सरोज दुबे: माननीय उपसभाध्यक्ष जी, पुलिसकर्मियों की उपस्थिति में भीड़ द्वारा पांच दलितों की हत्या के मामले में गृह राज्य मंत्री जी ने अपने वक्तव्य में पर्दा डालने की कोशिश की है। दलित, महिला और अल्पसंख्यकों की हत्या करना आज एक परम्परा बन गई है। दलितों की ये जो हत्या हुई है, इसकी गंभीरता को कम करने के लिए आपने बिहार का जिक्र कर दिया है। मैं समझ नहीं पा रही हूँ कि जब हरियाणा का जिक्र था तो बिहार का जिक्र कहां से आ गया? आप लोगों को बिहार का इतना फ़ोबिया क्यों हो गया है कि हर जगह आप बिहार को जोड़ देते हैं? यह बड़े अफ़सोस की बात है। दलितों की हत्या की बात हो रही है और शर्मनाक घटना झज्जर में घटी है लेकिन बीच मे बिहार आ गया। बिहार का इससे क्या मतलब? यह राजनीति नहीं हैं, यह दलितों की हत्या का गंभीर मामला है,जो बडी दुखद घटना है, बडी शर्मनाक और दिल को दहला देने वाली घटना हो तो आप बिहार को शर्मिन्दा करिए , लेकिन यह तो आपके शर्मसार होने की बात है । दलितों के साथ इतनी बडी घटना हो गई और आप उसको छिपाने के लिए , उस पर पर्दा डालने के लिए बिहार का नाम डाल रहे हैं। मैं कहना चाहती हूँ कि आइंदा आप इस बात का ख्याल रखे नही तो आइंदा हम इस बात को बर्दाश्त नहीं करेंगे, अगर आप बिहार का नाम हर चीज में डालेंगे तो फ़िर हम लोग भी आपको उसी तरह से ट्रीट करेंगे।

महोदय,दूसरी बात यह है कि गो- हत्या के बहाने जो भी दलितों के साथ हुआ, वह बहुत दुखद है और सबसे बड़ा सवाल यह है कि पुलिस चौकी से दलितों को निकालकर मारा गया और कहा गया कि शवों को जला डाला गया, अब पता नही वे शव थे या जिंदा थे। यह बहुत ही दुखद और दिल दहला देने वाली घटना है और यह पुलिस की भूमिका पर भी प्रश्न-चिन्ह उपस्थित करती है। इसके अलावा हरियाणा में कुछ स्थानों पर निरंतर दलितों की हत्या और उन पर अत्याचार हो रहे हैं। अभी कुछ दिन पहले हाऊस में हम लोगों ने एक मामला उठाना चाहा था कि एक दलित दूल्हा घोडी पर चढ़ गया था तो उसको भी सवर्णो द्वारा बहुत मारा गया था।

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): आप दूसरी बात मत करिए, केवल इसी को रेफ़र करिए वरना बहुत लम्बा हो जाएगा क्योंकि ऐसे तो बहुत उदाहरण मिल जाएंगे।

श्रीमती सरोज दुबे: उसके साथ भी बहुत अत्याचार हुआ था।

7.00 p.m.

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): नहीं, वह बात मत करिए, खाली पांच दलितों की बात करिए, दूल्हे की बात मत करिए।

श्रीमती सरोज दुबे: उपसभाध्यक्ष जी, अब अगर पुलिस कस्टडी में भी दलित व्यक्ति सुरक्षित नही हैं तो दलित कहा जाएगा?

इसलिए मैं मंत्री जी से कहना चाहती हूँ कि यह बहुत ही गंभीर मामला है, आपके वक्तव्य से कोई संतुष्ट नहीं है,जो अपराधी हैं उनके खिलाफ़ कडी कार्रवाई होनी चाहिए और श्री संतोष बागड़ोदिया जी ने जो मांग की है कि इसकी सी.बी.आई. से इंक्वायरी होनी चाहिए, मैं भी मांग करती हूँ कि इसकी सी.बी.आई. से जांच हो ताकि दूध का दूध और पानी का पानी हो जाए और अपराधियों के खिलाफ़ इतनी कडी कार्रवाई हो ताकि ऐसी घटना की पुनरावृत्ति न होने पाए और दलित भी अपने को इस देश का नागरिक समझे, दलित भी अपने को सुरक्षित और महफ़ूज समझ सके। धन्यवाद।

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): श्री हरेन्द्र सिंह मलिक। आपके लिए भी एक मिनट है।

श्री हरेन्द्र सिंह मलिक: सर, यह हरियाणा का मामला है, फ़िर भी आपका आदेश शिरोधार्य रहेगा।

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): मलिक जी, आपको एक बात बता देते हैं ताकि आप आगे से ध्यान रखे। आप नए मैम्बर हैं न,इसलिए आपको एक तरीका बता देता हूँ कि अगर आप ऐसा कोई स्टेटमेंट आए तो पहले से अपना नाम दे दीजिएगा। अब स्टेटमेंट चालू होने के बाद आप नाम देते हैं तो कोई टाइम नहीं होता। इसलिए कुछ रुल्स बनाए हुए हैं। आज तो आप बोलिए लेकिन आगे से पहले नाम दे दिया कीजिए।

श्री हरेन्द्र सिंह मलिक: मान्यवर, मैं आपके माध्यम से माननीय गृह राज्य मंत्री जी से कहना चाहता हूँ कि यह जो घटना दुलीना मे हुई दशहरे के दिन, यह दुर्भाग्यपूर्ण भी है, दुखद भी है। मैं जानना चाहता हूं कि इस घटना मे जो आरोपी हैं, क्या यह सत्य है कि उनमें पांच अनुसूचित जाति के भी हैं—जसवंत सिंह , सुपुत्र श्री धर्मसिंह , हरिजन, निवासी ग्राम सुहारा, विक्रम सिंह, राम भगत सिंह, हरि सिंह, निवासी ग्राम सुहारा, अशोक सुपुत्र श्री फ़तेह सिंह , निवासी ग्राम सुहारा?

मान्यवर, मैं कहना चाहता हूँ कि दशहरे के दिन भीड़ दस – बीस की संख्या में नहीं चलती और दुलीना चौकी में मात्र दो कमरें हैं। क्या यह सच है कि न उसकी चारदीवारी है, न वहाँ कोई ऐसा दूसरा स्थान था कि पुलिस उन लोगों को प्रोटेक्ट कर पाती। मान्यवर, मैं आपके माध्यम से माननीय राज्य मंत्री जी से यह भी जानना चाहता हूँ कि क्या यह सही है कि जहां गाय की खाल उतारी जा रही थी, वह दुलीना चौकी से एक किलोमीटर आगे है? कई माननीय साथियों को यह शंका रही है कि शायद पुलिस ने पैसा लेने के लिए उन्हें पकड़ा हो। क्या यह सत्य है कि वे लोग पुलिस चौकी पार करके जा चुके थे? यहीं नहीं, एस. पी. झज्जर, आई.जी.., रोहतक, जिनके जोन मे यह काम हुआ है, क्या यह सच है कि वहां सारे ही शैड्यूल्ड कास्ट के

अधिकारी हैं? एस. पी. झज्जर माइनॉइरिटी के हैं। जिस तरीके का वहां जाम हो रहा था, कुछ लोगों ने कहा कि वहां भीड़ के ऊपर पानी की बौछार हुई थी। क्या देहात की जगहों में भीड़ के ऊपर पानी की बौछार हो सकती है? क्या किसी को यह जानकारी थी कि 25-30 हजार लोगों पर चार पुलिस के अधिकारी इस तरह से फ़ॉयर कर सकते हैं?

मान्यवर, अनुसूचित जाति आयोग ने इस मामले की जांच की है और उन्होने अपनी जांच रिपोर्ट मे कहा है कि यह घटना एक हादसा है, चूंकि मृतक हरिजन हैं और हमलावर भी हरिजन हैं। मैं यह कहना चाहता हूँ कि हर जाति के लोग उसमें शामिल थे। मान्यवर, यह सही है कि हरियाणा सरकार ने तत्काल पीडित लोगों को पांच-पांच लाख रुपए का मुआवजा दिया और अनुसूचित जाति के एक हरिजन अधिकारी को जांच आयोग का अध्यक्ष बनाया और उसकी जो रिपोर्ट आई है, उससे कोई संदेह नही रह जाता है। उन्होने अपनी रिपोर्ट में जो पुलिस अधिकारी चौकी पर उपस्थित थे, उनको दोषी पाया है और उन्होने स्थानीय प्रशासन के खिलाफ़ रिपोर्ट दी है। क्या यह सच है कि हरियाणा सरकार ने उस रिपोर्ट को तत्काल स्वीकार किया, बिना किसी कांट- छांट के स्वीकार किया और दोषियों के विरुद्ध प्रभावी कार्यवाही करने की मांग की?

महोदय, हरियाणा सरकार ने कहा कि चाहे किसी भी संगठन का आदमी हो, कितना ही बडा पदाधिकारी हो, कितना ही बड़ा आदमी हो, दोषी व्यक्ति को बख्शा नहीं जाएगा। मैं यह भी जानना चाहता हूँ कि क्या यह सही है कि हरियाणा में सांप्रदायिक दंगे और जातीय दंगे नहीं होते हैं? अभी सरोज जी बोल रही थी। ये हैं तो इलाहाबाद की और पटना मे रह रही हैं, मैं भी इनके प्रदेश का हूँ। ये हरियाणा की बात कर रही थी। हरियाणा मे दूल्हा चाहे घोडी पर चले या घोड़े पर चले, कोई उसे रोकता नहीं, न किसी ने रोका है, न सरकार के संज्ञान मे यह बात है...(व्यवधान)....

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): नही रोका है, तो अच्छी बात है। आप बोलिए।

श्री हरेन्द्र सिंह मलिक: मान्यवर, हादसे कही भी हो सकते हैं। हरियाण सरकार ने तत्काल पीडितों को पांच-पांच लाख रुपए का मुआवजा दिया। इस कांड मे सभी जातियों के लोग पकडे गये हैं ब्राह्म्ण भी पकडे गये जाट भी पकडा गया है अरोडा भी पकडा गया है और कथित संगठनों की जो बात आई है, उनके खिलाफ़ कोई कार्यवाही नही की गई। यही नही, सभी राजनीतिक दलों के नेता,प्रदेश स्तर के नेता वहां गए और सबने इस मामले को भुनाने की कोशिश की ताकि जातीय दंगा फ़ैल जाए लेकिन हरियाणा के लोगों ने जातीय दंगा नही फ़ैलाया। उनको केन्द्रीय सरकार के सहयोग से रोका गया, उनको प्रदेश सरकार ने रोका और दंगा नहीं फ़ैलने दिया। मैं यह भी जानना चाहता हूँ कि जो पीडित परिवार हैं, दुःखी परिवार हैं, जिनके परिजनों को एक-एक नौकरी दी गई और पांच- पांच लाख रुपए दिए गए हैं, क्या उन्होंने कोई शिकायत की है? क्या वे जांच से संतुष्ट हैं? मेरी जानकारी यह है कि वे जांच से संतुष्ट हैं और सरकार द्वारा की गई कार्यवाही से वे संतुष्ट हैं।

महोदय, माननीय गृह राज्य मंत्री जी ने जो स्टेटमेंट दिया है, वह अपने आप मे पूर्णतया स्पष्ट है लेकिन एक तथ्य उसमे छूट गया है कि हमलावरों मे सभी जातियों के लोग शामिल थे, अनुसूचित जाति के लोग भी थे। इत्तफ़ाक से जो अधिकारी हैं, वे सारे के सारे जिम्मेदार

अधिकारी हैं, वे अनुसूचित जाति के अधिकारी हैं। मैं माननीय मंत्री जी से अनुरोध करुंगा कि इस बारे में वे अपने जवाब में बता दें।

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Jibon Royji, if you really insist -- as per rules, only one question is allowed -- you can ask one question.

श्री जीवन राय (**पश्चिमी बंगाल**):देखिए, कभी-कभी मैं टोकाटाकी करता हूँ तो चेयर पर लोग नाराज हो जाते हैं। But when I want to speak, I am not allowed.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA) : But then, your party should have given your name.

SHRI JIBON ROY: The beauty of the speech is gone. I am not speaking. I withdraw my name.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA) : Thank you. Mr. Minister. But, before you reply, I have just received information that the family members of the victims have converted to Islam, Buddhism and Christianity. You can say whether whether it is true or not.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): Sir, as many as 11 hon. Members have put certain questions for clarifications. There is no doubt about it that we don't have any agency of our own in the Central Government which goes about in the States in making enquiries about any incident of this type which pertains to law and order situation. Howsoever horrendous, howsoever serious that situation or that particular incident may be, we have to depend upon the reports received from the State Governments. My statement made in this House was primarily on the basis of the report received from the State Government. Immediately after 5th December, we did receive the report of the Enquiry Commission. The Divisional Commissioner who was appointed for making an enquiry into the whole incident, he has also made the report available to the State Government.

Sir, another point which I want to clarify in the very beginning is, why Bihar has been mentioned in the statement. Only the word 'Bihar' has been mentioned in the statement. There was nothing about the atrocities. We have not made any allegation in the statement. Bihar and some other parts of the country, that somehow...

प्रो. राम देव भंडारी(**बिहार**): श्रीमान,.....

उपसभाध्यक्ष (**श्री संतोष बागड़ोदिया**): रहने दीजिए आप, उनको बोलने दीजिए।.... ..(व्यवधान).... प्लीज, आप बोलने दीजिए उनको, अभी तो चालू भी नहीं किया है उन्होने ..(व्यवधान).... बिहार अच्छा प्रदेश है, आप उसके नाम से चिढ़ क्यों रहे हैं।

SHRI I.D. SWAM I: After hearing me, you will be satisfied. Only the word 'Bihar' and other parts of the country has been mentioned. Yes, under a misconception, it was done. Because the notice which was given in the Lok Sabha by Shri Ram Vilas Paswanji had mentioned these words. Since this statement came in response to the wishes of the Members of this House, my office or the Ministry, perhaps, took it that way, and on the basis of the same statement, we are required to make a statement here. Otherwise...

SHRI PRANAB MUKHERJEE: Mr. Minister, it is not fair. When you are making a statement in the House, it is your responsibility to be careful. If your Ministry has just copied the statement which has relevance in Lok Sabha, you cannot take this House for granted. You simply say that it is regrettable. And it should not happen in future.

प्रो. राम देव भंडारी: श्रीमान,.....

उपसभाध्यक्ष (**श्री संतोष बागड़ोदिया**): एक मिनट। वह मंत्री जी ने क्लेरिफ़ाई कर दिया है।...सुनिए, क्लेरिफ़ाई कर दिया है।..(व्यवधान).... मंत्री जी, लोक सभा की बात यहां नहीं होती है।

श्री ईश्वर दयाल स्वामी: वह नहीं कर रहा हूँ। That is what I am saying. It was done under that misconception. I am sorry for that. Because that word was included in that notice; otherwise,

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): That is over.

SHRI I.D. SWAMI: There was no allegation against Bihar or any other parts of the country. That is why the statistics of the country were also given to show how things are moving in the whole country. There was no other purpose behind that.

So far as the offence or the incident is concerned, my statement has made it very clear. The State Government has acted fast; there is no doubt about it. Mr. Malik has made it amply clear that not only was the State Government very sympathetic -- it should be; all the State Governments and the Central Government should also be sympathetic -- but they also acted very fast. One person happened 10 be from Karnal, my own hometown, my own constituency. I went to that house also. They were so

satisfied after hearing the announcement of compensation of Rs. 5 lakhs by the State Government for the members of the bereaved families and a job to the dependent of each of the victim.

SHRI JIBON ROY: They are satisfied with the killing. Even after killing, they got Rs.5 lakh. They are happy! ...*(Interruptions)*...

SHRI I.D. SWAMI: The State Government has also accepted the Report of the Commission *in-toto*. Not only that, even the National Commission on the Scheduled Castes and Scheduled Tribes made its own report. They also made their own enquiry. They have also come to the conclusion. The conclusion drawn by the Divisional Commissioner and that of the National Commission for the Scheduled Castes and Scheduled Tribes are almost similar, identical. Both the Inquiry Reports say that it was certainly not an incident of atrocities against *Dalits,* but, on the other hand, it was because of the misinterpretation, misconception, misinformation, rumour-mongering in that area. Why did the crowd gather from so many villages and all that? It was also a coincidence because of the Dussehra festival. One of the hon. Members has put it pointedly as to how so many people have collected at one place. On the Dussehra festival - and *Jhajjhar* being the district headquarters; in each village, Dussehra festival is not celebrated, Dussehra *mela* is not held; it is held at sub-divisional or district headquarters - it so happened that from many villages, the people gathered there and they were coming back. That was the situation there.

So far as the negligence or the connivance etc., of the police officials and the Executive in the State and other officers is concerned, including the DSP, of course, the Divisional Commissioner has also come to the same conclusion and the National Commission on Scheduled Castes has also mentioned that there was an under-estimation and they could not estimate that the crowd would swell so much; they had a small post, comprising of an ASI and 4 to 10 constables. They never expected this; but when the force came, at that time also, they under-estimated and that has been pointed out by both the reports. That is why, on the basis of the reports, all the officers are being chargesheeted for major penalties, not for minor penalties. Whatever other actions are suggested now by the hon. Members, they are for the State Government to consider. You will appreciate this.

Another query which has been made is, why not an inquiry be done by the CBI? I am sure you will appreciate the position of law. All the hon. Members, who have pointed it out, would be knowing that under the

provisions of the law, the Central Government has no power to initiate an action or direct in any particular case that that should be given to the CBI. It is for the State Governments. If they want an inquiry in a particular case, where the matter, the situation, the facts are very complicated, where they feel that they must pass on the case for an inquiry by the CBI, then only the cases are sent to the CBI. Without the consent of the State Government, the Central Government can't transfer any case for investigation to the CBI. Of course, we have, luckily, in this country, not only a democratic polity but also we have an independent and very learned judiciary. Judicial forums are always available for anybody who feels aggrieved. But so far as these five families are concerned, I can assure you that they are satisfied.

Of course, it was a very heinous incident, it was a very unfortunate incident, but it happened not because of any organisation, not because of any other reason. Mr. Malik has rightly pointed out. I also have checked it up from the record. I know that when the case was registered against 23 persons, four of them belonged to the Scheduled Castes. People from other castes were also there, because some of the villages surrounding that area are dominated, by the Jat community and other communities as well. Yes, many people are there from this community.

When cases were registered against these people, when these people were brought, they were arrested. Then it came to light that four or five of them certainly belonged to the Scheduled Castes. They, are also accused in this. At the time thtf'incident happened, it was not a question of atrocity against *dalits.* Nobody would presume that *dalits* would start beating or burning or killing a<person of their own caste; not at all. It was only because the people mistook it as slaughter of a cow. On the slaughter of a, cow, you know the sentiments of the people, especially in the rural areas; sentiments run very high. If the cows are being slaughtered in an open place, publicly, nobody is going to tolerate it, Whatever be the area, especially in the rural areas. The sentiments ran.very high. That is the point. As mentioned in my statement, the inquiry report of the Commissioner, the Divisional Commissioner, says the same thing-it was because of this and not because of atrocities against *dalits* at all.

About Haryana, I again repeat what I have said in my statement. Really, the situation is such that there are no serious offences, no complaints at all, no such feelings amongst the communities on the basis of caste or creed or even religion. We have the area of Mewat, where a lot of Muslim brothers live; there are villages dominated by Muslim brothers;

Hindus also are living there. Even in that area, there is no such animosity, there is no such complaint at all. That is why I said, in Haryana we have been traditionally living in peace. The unfortunate incident which happened on that day was because of an impression that cows were being slaughtered in the open place. That is why all this happened.

So far as the other allegations are concerned, Ghoriwala or the story of riot, etc., which was also pointed out, I can certainly say that they are only baseless stories. They did appear in the newspapers; I have also read them. I tried to verify from the families, and from the people who had come to Karnal to pay their condolence or for the mourning, etc. I inquired from them also and nobody could verify it. I don't know wherefrom they landed. There was no such thing. Yes, negligence has been there; callousness has been there on the part of the police officers. Yes, their under-estimation of the situation was there. Nobody would deny it. That is why the State Government has agreed in *toto* with the Report of the Judicial Commissioner and all the officers are being chargesheeted. That is all I can say at this time. And I think...*(Interruptions)*...

श्रीमती सरोज दुबे: वे कभी घोडी पर नहीं चढ़े।.. ..(व्यवधान)....

श्री ईश्वर दयाल स्वामी: वह चढ़ते रहे हैं, हमेशा चढ़ते रहेंगे। पहले भी चढ़े हैं, आगे भी चढ़ेंगे।

उपसभाध्यक्ष (**श्री संतोष बागड़ोदिया**): वह ऑलरेडी जवाब दे चुके हैं। अब इसको कभी तो रोकना पड़ेगा।

SHRI I.D. SWAMI: One thing, which was also pointed out, that how those two bodies were burnt and whether *post-mortem* was done. A *post-mortem* was conducted on all the five bodies by a board of doctors and all the injuries are *ante-mortem,* except in one case where one person was thrown on fire and the death was because of burn injuries. In the other cases, there were no burn injuries. To clinch the issue, even the *postmortem* was carried out on the dead animal, the dead cow so that there was no question of slaughter and all that and it showed that for more than 24 hours the cow was dead. It was a dead cow which was skinned. Unfortunately, a rumour lead to this unfortunate incident which has, to be condemned, which has been condemned by the whole House. But I can assure this august House that in Haryana except this incident, --in the recent past also -- there is no animosity in that State. I also belong to Haryana, and at least, I know the situation there. There is no animosity at all in that State. The people are living in peace and I hope and pray that

they would continue to live in peace not only in Haryana, but also in the whole country. So far as this incident is concerned, we must condemn it. The officers who have been negligent or callous or indifferent or who did not estimate the situation properly, they are being punished. That also is very sure. But so far the use of water cannons is concerned, the use of teargas is concerned, unfortunately, in small stations the police force is minimal, nowhere, I think, these things are available. They cannot be brought immediately from the District Headquarters or from other far away place, where our police lines are or where the Haryana Armed Police stays, that is, at Madhuban in Kamal. That could not have been done. And they did not estimate it. Perhaps, that action could have been taken by the DM or the SP. But this was not the estimation and that is why this has happened, this unfortunate incident has happened. And there is no doubt about it. We ail should condemn it. So far as the officers are concerned, they will be punished and nobody will be spared. Thank you.

SHRI A. VIJAYA RAGHAVAN: You are not condemning the persons or organisations who are justifying it. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Mr. Raghavan, that is over now. ...*(Interruptions)*... The House stands adjourned till 11.00 A.M. tomorrow.

The House then adjourned at eighteen minutes past seven of the clock till eleven of the clock on Thursday, the 12 December, 2002.